

22 September 2026

PLANNING COMMITTEE - 30 SEPTEMBER 2026

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 30 September 2026 in the Council Chamber at the Town Hall, Rugby.

Members of the public may view the meeting via the livestream from the Council's website.

Dan Green
Chief Executive

Note: Councillors are reminded that, when declaring interests, they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a pecuniary interest, the Councillor must withdraw from the room unless one of the exceptions applies.

Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Councillor does not need to declare this interest unless the Councillor chooses to speak on a matter relating to their membership. If the Councillor does not wish to speak on the matter, the Councillor may still vote on the matter without making a declaration.

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.
To confirm the minutes of the meetings held on 5 August 2026.
2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest
To receive declarations of –
 - (a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;
 - (b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and
 - (c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
6. Delegated Decisions – 13 August – 9 September 2026
7. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“Under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of information defined in Paragraph 2 of Section 12A of the Act.”

PART 2 – EXEMPT INFORMATION

1. Planning Enforcement Update – January - June 2026.

Membership of the Committee:

Councillors Sandison (Chair), Bainbridge, Brown, Daly, Freeman, Gillias, Harrington, I Mistry, Simpson-Vince, Stewart, Thomas and Timms..

If you have any general queries with regard to this agenda please contact Democratic Services by emailing democraticservices@rugby.gov.uk. Any specific queries concerning reports should be directed to the listed contact officer.

The Council operates a public speaking procedure at Planning Committee. Details of the procedure, including how to register to speak, can be found on the Council's website (<https://www.rugby.gov.uk/w/have-your-say-on-a-planning-application#speaking-at-planning-committee>).

Planning Committee – 30 September 2026

Report of the Strategic Director for Place

Applications for Consideration

Planning applications for consideration by the Committee are set out as below.

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Item	Application Ref Number	Location site and description	Page number
1	R25/0855	Proposed Stationing of a Workers Mobile Home. (Retrospective) - DUNSMORE KENNEL AND CATTERY, 248, LONDON ROAD, STRETTON-ON-DUNSMORE, RUGBY, CV23 9HX	5
2	R26/0414	Installation of ground mounted solar panels - SPINNEY CLOSE, BIRDINGBURY ROAD, LEAMINGTON HASTINGS, RUGBY, CV23 8ED	19
3	R26/0645	Convert existing carport to habitable area to include a WC and WHB. Installation of solar panels to rear elevation roof - 12, THE HALL CLOSE, DUNCHURCH, RUGBY, CV22 6NP	35
4	R26/0653	Single Storey Rear Extension and Alterations to the Front Elevation - 100, KINGSLEY AVENUE, RUGBY, CV21 4JZ	45

Reference: R25/0855

Site Address: DUNSMORE KENNEL AND CATTERY, 248, LONDON ROAD, STRETTON-ON-DUNSMORE, RUGBY, CV23 9HX

Description: Proposed Stationing of a Workers Mobile Home. (Retrospective)

Web link: <https://planning.agileapplications.co.uk/rugby/application-details/41314>

Recommendation

1. Planning application R25/0855 be approved subject to:
the conditions and informatives set out in the draft decision notice appended to this report
2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

1.0 Introduction

1.1 This application is being reported to Planning Committee for determination as the agent for the development is an employee of the Council.

2.0 Description of site

2.1 The application site is located on the North side of the London Road (A45), which is North-East of the main rural settlement of Stretton-on-Dunsmore. The application site is 644 square metres and consists of hardstanding with the site being surrounded with 2-metre-tall fences with a mix of close board timber fencing and green metal fencing. The site is situated within the Green Belt. The associated kennels are located in a cluster of outbuildings north of the family dwelling, at 248 London Road. The detached dwelling is situated on a large plot of land approximately 80 metres away from the highway and is accessed via a long single-track driveway.

3.0 Description of proposals

3.1 This application seeks retrospective permission for the stationing of a workers mobile home.

3.2 The mobile home would have 2 bedrooms a bathroom and a living/dining area. The mobile home has a width of approximately 9.45 metres and a depth of 5.25 metres. It has a gable roof with an eaves height of 2.3 metres and a maximum height of 2.85 metres.

3.3 The dwelling is sited in this location as it is a requirement for the business in order to ensure that it is able to maintain its 'high star rating'. This requires a member of staff to be located on the site of the business (Raining Cats and Dogs) at all times, in accordance with DEFRA's Animal Welfare Regulations Guidelines, 2018. Planning permission was previously granted on site for the 1 year temporary siting of a mobile home under R21/0640 to ensure the business could reach the 'high star rating'.

Planning History

R21/0638	Retrospective advertisement consent for a stand alone sign secured by 2No. posts with a 2x1.5m perspex sign fixed	Approval 02/08/2021
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R21/0639	Erection of new automated gates and widened access/egress to driveway	Approval 04/08/2021
R21/0640	Proposed stationing of a workers mobile home (temporary 1-year permission)	Approval 13/09/2021

Relevant Planning Policies

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Local Plan 2011-2031. The relevant policies are outlined below.

Rugby Borough Local Plan 2011-2031, June 2019

GP1: Securing Sustainable Development

GP2: Settlement hierarchy

DS1: Overall Development Needs

SDC1: Sustainable design

SDC4: Sustainable Buildings

H3: Housing for Rural Businesses

ED3: Employment Development Outside Rugby Urban Area

NE1: Protecting Designated Biodiversity and Geodiversity Assets

D1: Transport

D2: Parking facilities

Rugby Local Plan 2025-2042 (submission version 27 April 2026)

S1: Settlement Hierarchy

S5: Countryside protection

CL3: Water supply, quality and efficiency

CL4: Climate adaptation

E3: Rural economy

EN1: Biodiversity and geodiversity protection

EN4: Biodiversity net gain

EN8: Environmental protection and amenity

H3: Rural worker dwellings

D1: Well-designed places

I1: Transport

I2: Parking

The Local Plan for 2025-2042 was submitted for examination on 27th April 2026 currently carries significant weight in decision making.

National Planning Policy Framework, 2026 (NPPF)

Policy DM1: Preparing Development Proposals

Policy DM2: Information Requirements

Policy DM3: Determining Development Proposals

Policy DM4: Emerging Development Plan Proposals

Policy DM6: Use of planning conditions and obligations

Policy DM7: Relationship with other regulatory regimes

Policy DM8: Unauthorised development and enforcement
Policy S3: Presumption in favour of sustainable development
Policy CC2: Mitigation of climate change
Policy CC3: Adaptation to climate change
Policy HO7: Meeting the need for homes
Policy HO11: Isolated homes in the countryside
Policy E2: Meeting the need for business land and premises
Policy E4: Rural business development
Policy L2: Making effective use of land
Policy GB6: Control of development in the Green Belt
Policy GB7: Development which is not inappropriate in the Green Belt
Policy DP3: Key principles for well-designed places
Policy DP4: The design process
Policy TR3: Locating development in sustainable locations
Policy TR4: Street design, access and parking
Policy P3: Living conditions and pollution
Policy P4: Impact of development on existing activities
Policy P5: Maintaining public safety and security
Policy F7: Ensuring development is safe from flooding
Policy N2: Improving the natural environment

Supplementary Planning Documents

Climate Change & Sustainable Design and Construction– 2023; including Residential Design Guide

Technical consultation responses

RBC Environmental Health – No Objection subject to condition.

WCC Highways – No Objection.

WCC Ecology – No Objection subject to informatives.

Third party comments

Ward councillors and neighbours notified, and no comments were received.

4.0 Assessment of proposals

4.1 The key issues to assess in the determination of this application are:

- Assessment of strategic policies
- Principle of Development
- Character and design
- Impact on neighbouring properties
- Highway safety & parking
- Ecology
- Climate change and resilience

5.0 Assessment against Strategic policies

5.1 The adopted Local Plan 2011-2031 (adopted 2019) sets out the spatial vision for the borough and Policy DS1 sets out the overall development needs, including the need for housing. Policy GP2 of the Local Plan sets out the settlement hierarchy in order to deliver the spatial strategy. The Local Plan identifies and provides allocations for housing and other development within the context of the settlement hierarchy. The submission Local Plan 2025-

2042 contains Policy S1 reflecting Policy GP2. Policy S1 does not seek to amend the hierarchy of any of the settlements currently referenced based on the Rural Sustainability Study (2024).

5.2 Due to the date of the Local Plan 2011-2031 (June 2019 adoption), the Council's five-year housing land supply is now subject to the standard method as set out within the NPPF and PPG. The latest Five-Year Housing Land Supply Position Statement 2025-2030, published 07 November 2025, and Addendum published on 27 March 2026 set out the Council can demonstrate a 3.4 year supply of housing. Therefore, the Council cannot demonstrate a 5-year housing land supply.

6.0 Principle of Development

6.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications.

6.2 Policy GP1 of the adopted Local Plan echoes this and states that when considering development proposals, a positive approach will be taken on development that reflects the presumption in favour of sustainable development and to secure development that improves the economic, social and environmental conditions in the area.

6.3 Annex A of the NPPF states that the policies in the Framework are material considerations which must be taken into account in decision-making. It goes on to note that development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.

6.4 The Local Plan for 2025-2042 was submitted for examination on 27th April 2026 and currently carries significant weight in decision making.

6.5 Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy with Rugby Town being the main priority of development within the borough. The submitted Local Plan 2025-2042 does not seek to amend the hierarchy of any of the settlements currently referenced based on the Rural Sustainability Study (2024) with policy S1 of the submission local plan reiterating the development hierarchy that is outlined in policy GP2 of the adopted local plan.

6.6 The proposed development is not located within an established settlement as defined by LP policy GP2 and the adopted Proposals Map. The proposed development site is located within land considered to be the Green Belt. Policy GP2 of the adopted plan and S5 of the submission plan states that new development will be resisted; only where national policy on Green Belt allows will development be permitted. The NPPF outlines that a settlement includes cities, towns, villages and other predominantly built-up areas, including land which is allocated or has permission for development which will form part of the built-up area once the development is complete. Settlements do not include hamlets and scattered groups of houses located outside predominantly built-up areas, unless specifically defined as a settlement in the development plan.

6.7 Policy H3 of the Adopted Rugby Local Plan outlines that proposals for permanent dwellings for the occupation by a person engaged in rural business in the countryside if all of the following criteria are met:

- There is a clearly established essential need for a dwelling;

- The need relates to a full-time worker, or one who is primarily employed in the activity to which the application relates;
- The agricultural unit and/or the rural enterprise concerned, are currently financially sound, and have a clear prospect of remaining so; and
- The essential need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

This policy is considered to be materially inconsistent with the NPPF as HO11 1.a outlines that development proposals will be supported where the following applies “There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside”. This policy is considered to be materially inconsistent with the NPPF as the requirements to comply are greater than HO11, therefore only limited weight can be applied when considering this policy.

6.8 As outlined in section 3.3 of this report, there is a clearly established essential need for this dwelling as a member of staff must be on site at all times to maintain a ‘high star rating’. The occupant of the dwelling would be under the employment of Raining Cats & Dogs. There is no evidence to show that the business is not financially sound and has been running for over 25 years. Due to the nature of the requirements for a ‘high star rating’ no other dwellings would be suitable or available for occupation by the workers concerned. Condition 3 would restrict the dwelling to be occupied only by workers of Raining Cats & Dogs Kennel and Cattery.

Whether the proposal is inappropriate development

6.9 Section 13 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Policy GB2 of the NPPF states that the Green Belt serves five purposes as listed below;

- A. to check the unrestricted sprawl of large built-up areas;
- B. to prevent neighbouring towns merging into one another;
- C. to assist in safeguarding the countryside from encroachment;
- D. to preserve the setting and special character of historic towns; and
- E. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.10 Policy GB6 of the NPPF states that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.

6.11 When determining whether the development is inappropriate development within the Green Belt, Policy GB7 of the NPPF is relevant. This states that development is inappropriate unless one of the following listed exceptions applies:

- a) Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement; **Not applicable**
- b) The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces; **Not applicable**

- c) Limited infilling in villages lying within the Green Belt; **Not applicable**
- d) Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site); **Not applicable**
- e) The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt; **Applicable**
- f) Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:
 - i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);
 - ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;
 - iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments. **Not applicable**
- g) Development where all of the following apply:
 - i. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - ii. There is an evidenced unmet need for the type of development proposed;
 - iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework; and
 - iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8. **Not applicable**
- h) Residential or mixed-use development which would:
 - i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);
 - ii. Be physically well-related to the station or the settlement within which the station is located;
 - iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;
 - iv. Not prejudice any proposals for long-term comprehensive development in the same location; and
 - v. In the case of proposals for major development, comply with policy GB8 **Not applicable**

6.12 For the purposes of decision making, the application site is considered to consist of previously developed land due to the authorised development that has taken place on site, including the installation of hardstanding. As such an assessment must be undertaken to consider whether there would be substantial harm to the openness of the Green Belt through the approval of the development.

6.13 The retrospective development is located in a well screened location with fences surrounding the site. The application site is also well screened by trees which limits visibility into the site from the A45. The dwelling would have a maximum height of 2.85 metres and an eaves height of approximately 2.42 metres meaning that much of the dwelling would be screened by the fences surrounding the site. It has been determined that there would be a minor impact on the openness of the Green Belt. There would not be substantial harm to the openness of the Green Belt through the approval of this application. The development is therefore considered to not be inappropriate development within the Green Belt.

7.0 Design

7.1 Policy SDC1 of the adopted Local Plan states that all development will demonstrate high quality, inclusive and sustainable design and that new development will only be supported where the proposals are of a scale, density and design that responds to the character of the area. All developments should aim to add to the overall quality of the areas in which they are situated. Policies L3, DP3 and P3 of the NPPF build on aims of this Local Plan policy.

7.2 In addition to the impact of the development on the character and appearance of the Green Belt, a key factor of any development is the impact it has on the visual character of an area, and on how it will affect the character of it. In this case, this site is located in an area away from the nearest village of Stretton on Dunsmore. There are however a few dwellings in the immediate locality of the site. The surrounding area is predominantly farmland with some nearby businesses. The general aesthetic of the area is of a largely natural landscape with little in the way of development with the exception of the A45.

7.3 There are no footpaths on the A45 and traffic runs rapidly past the site, it is not a location where the site would be readily visible to walkers or cyclists.

7.4 The dwelling would be a mobile home of standard construction and appearance and would be well screened from the streetscene by existing boundary treatments and surrounding vegetation. Due to the height of the dwelling even in winter months, it is unlikely that there would be a detrimental effect of the character of the area.

7.6 Policy H7 of the Proposed Local Plan outlines that all new dwellings shall as a minimum meet the nationally described space standards. The dwelling would have a floor space of approximately 50 square metres with 2 bedrooms, whereas the national described space standards outlines that a minimum of 61 square metres would be required for this number of bedrooms. Whilst the dwelling would not comply with policy H7 of the Submission Local Plan, Policy H3 of the Local Plan outlines that the size of any rural worker dwelling should be commensurate with the established essential requirement. It is considered that a dwelling of this size would be suitable for the need of the site and any larger of a dwelling would likely not be permitted.

7.7 The dwelling would have a relatively limited amenity space, however, it is considered that this would be of a suitable size, measuring at around 68 square metres with a maximum width of 7.65 metres and a length of 15 metres. It is considered that there would be sufficient amenity space for the occupiers of the dwelling.

7.8 Policy EN8 of the submission Local Plan outlines that new development shall not have unacceptable impact on the amenity of existing or proposed users or occupants of neighbouring buildings or land and shall provide adequate amenity for the occupants and users of the proposed development. This is supported by P3 of the NPPF which aims to avoid unacceptable impacts on amenity, living conditions and the natural environment. RBC Environmental Health were consulted on this application and initially objected to the development as it was considered that due to the proximity to a major road, there is a risk that internal and external living conditions will not meet acceptable standards for health and amenity, on that basis a noise impact assessment was requested as well as an air quality impact assessment. RBC Environmental Health then removed their objection to the application subject to a condition requiring the implementation of the mitigation measures outlined in the report.

7.9 Therefore the development is considered to be acceptable in terms of design and character of the area, and as such are in accordance with Current Local Plan Policy SDC1 and Submission Local Plan Policy D1 and EN8 in this regard.

8.0 Impact on neighbouring properties

8.1 In addition to seeking development to respect the character of an area, Policy SDC1 of the Local Plan seeks to safeguard the living conditions of existing and future neighbouring occupiers. L2 of the National Planning Policy Framework states that planning should always seek a high standard of amenity for existing and future users of developments. Policy EN8 of the submission Local Plan relates to environmental protection and amenity and states at b) new development should not have an unacceptable impact on the amenity of existing or proposed users or occupants of neighbouring buildings or land.

8.2 With reference to the Climate Change & Sustainable Design & Construction SPD (2023), it states that the council should assess the impact on residential amenities enjoyed by the occupiers of the surrounding properties.

8.3 In this case it is unlikely that any neighbouring properties would be impacted by the development. The nearest neighbouring property would be located approximately 35 metres away from the development. Due to the scale and siting of the development there would be no additional overlooking created and no risk of additional overshadowing.

8.4 It is considered that the impact on neighbouring properties in relation to light and privacy is acceptable. This application is therefore considered to be in accordance with policy SDC1 of the Local Plan, policy EN8 of the Submission Local Plan and the Climate Change & Sustainable Design & Construction SPD (2023).

9.0 Highway Safety & Parking

9.1 Policy L2 of the NPPF states that developments should achieve safe access and egress for occupiers and users. Local Plan policy D1 states that development should address, amongst other things, whether safe and suitable access to the site can be achieved. Additionally, development will only be permitted where sustainable transport methods are prioritised and measures to mitigate the transport impacts are provided. Policies D1 and D2 seek transport mitigation measures and adequate parking provision. Policy I1 and I2 of the Submission Local Plan reflect the content of Policies D1 and D2.

9.2 NPPF Policy TR3 seeks for development to be located in sustainable locations, utilise existing transport infrastructure, mitigate any significant adverse impacts on the transport network or on highway safety, identify any environmental impact of traffic and transport infrastructure and enhance connectivity. It goes on to state that in rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed. NPPF Policy TR4 seeks for development to ensure that the arrangement of routes help to create places that are safe, inclusive and attractive for all users.

9.3 Due to the siting of the dwelling in a rural area, it is understood that it may be difficult for the application site to support sustainable transport options. Opportunities to maximise sustainable transport solutions will vary between urban and rural areas, so whilst there are no nearby dedicated bus routes, the IndieGo dial-a-ride is available, which operates to and from Rugby and provides a Monday to Saturday service for commuters travelling to work, GP/Hospital visits, shopping and leisure trip purposes. This service would also be available for residents of

the dwelling and is wheelchair-accessible. Although this level of service may be less frequent than in larger urban areas such as Rugby itself, in the context of a Green Belt location the availability of an on demand, flexible mini-bus service from the site provides the choice to utilise a non-car mode of transport.

9.4 The development would result in the property having 2 bedrooms and the Council's standards require 1 car parking space in this location. A parking space will be provided at the property.

9.5 WCC Highways were consulted on the application and have advised that after undertaking their assessment of the site they had no objection to the development.

9.6 Since WCC highways have no objection to the application and since there will be ample parking provided at the application dwelling, there are no concerns regarding parking or highways issues.

9.7 This application is therefore considered to be in accordance with NPPF, policies D1 and D2 of the Local Plan and policies I1 and I2 of the Submission Local Plan.

10.0 Ecology

10.1 Part 19 of the NPPF (Conserving and Enhancing the Natural Environment) states that the aim of this section is to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth. NPPF Policy N2 states that if significant harm to biodiversity cannot be avoided, mitigated or compensated for then the development should be refused.

10.2 Policy NE1 states that the Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity. Policy EN1 of the Submission Local Plan outlines that national policy and legislation will be applied in determining planning applications that have potential to harm biodiversity.

10.3 The County Ecologist was consulted on this application and advised that as the application seeks retrospective permission, BNG does not apply to the site, however, the new planting is appreciated. They also noted that protected species would be not impacted by the development. Condition 6 would ensure that the proposed landscaping is planted prior to the first planting seasons and maintained for 10 years.

10.4 Therefore, it is considered that the application will be in accordance with Current Local Plan Policy NE1, Submission Local Plan Policy EN1 and the relevant BNG requirements subject to the recommended conditions.

11.0 Climate Change and Sustainable Design

11.1 The Council has declared a 'Climate Emergency' pledging to take local action to contribute to national carbon neutrality targets; including recognising steps to reduce its causes and make plans to respond to its effects at a local level.

11.2 LP Policies SDC1 and SDC4 set out support for the enhanced energy efficiency of buildings and the need to achieve a BREEAM 'very good' sustainability rating. SDC4 is materially inconsistent with NPPF Policy PM13 part b(iii) in relation to the BREEAM energy efficiency standard. This therefore carries very limited weight. Further detailed guidance is provided within

the Council's Climate Change and Sustainable Design and Construction SPD (2023). Rugby Borough Council also declared a climate emergency in July 2019. Policies CL1, CL3 and CL4 of the SLP set out the net zero, water efficiency and climate change resilience requirements for new development respectively. Policy CL1 carries very limited weight within this decision due to its material inconsistency with the NPPF.

11.3 The application is accompanied by sustainability checklist which provides details of how the development would not incorporate measures to increase sustainability on site. No measures to improve energy efficiency have been demonstrated.

11.4 It is considered that the applicant has not demonstrated how energy efficiency and sustainability has been incorporated within the development and therefore the development does not comply with Policy SDC4.

12.0 Community Infrastructure Levy

12.1 The Council's Community Infrastructure Levy (CIL) charging schedule came into effect on 1st April 2024, this is in accordance with the Planning Act 2008 and Community Infrastructure Regulations 2010.

12.2 As the development include 1 residential dwelling this constitutes chargeable development.

12.3 Based on the internal floorspace and uses of the dwelling the CIL payable is likely to be around £ 8,333 CIL is payable within 60 days of permission being granted and index linked therefore the value will increase annually until commencement.

13.0 Equality Implications

13.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

13.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

13.3 There are no known equality implications arising directly from this development.

13.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

14.0 Planning Balance and Conclusion

14.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

14.2 The application site is located within the Rugby-Coventry Green Belt and is considered to comply with exception (e) of GB7 of the NPPF. The application site is considered to be previously developed land as such is considered to not be inappropriate development within the Green Belt. The mobile home is not considered to have a detrimental impact on the character of the area. No neighbouring properties would be impacted by the proposed development. There would be no impact on Highway safety or Ecology. The development cannot demonstrate how climate change and sustainable design have been incorporated, however, this can only be afforded very limited weight due to the policies being materially inconsistent with the NPPF.

14.3 The development would help meet an unmet need in terms of additional dwellings being created which provides substantial weight in favour of the development, there would also be benefits to the economy through ensuring the business linked to the application site can be ran at a 'high star rating' in accordance with DEFRA's Animal Welfare Regulations Guidelines, 2018, which requires a member of staff present on site at all times, this provides moderate weight in favour of the development.

14.4 The development cannot demonstrate ways in which climate change and sustainable design have been incorporated, this provides very limited weight against the development. The proposal involves intentional unauthorised development which weighs substantially against the proposed development.

14.5 On balance it is considered that the benefits of the development would outweigh the harm. There are no strong reasons to refuse the application, as such the application is recommended for approval.

15.0 Recommendation

1. Planning application R25/0855 be approved subject to:
the conditions and informatives set out in the draft decision notice appended to this report; and
2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

DRAFT DECISION

REFERENCE NO:
R25/0855

DATE APPLICATION VALID:
27-Oct-2025

APPLICANT:

Adam Booth, Raining Cats and Dogs Cattery and Kennel Raining Cats and Dogs Cattery and Kennel, C/O Agent, Allesley Hall Drive, Coventry, CV5 9NS

AGENT:

Michelle Hill, Simple Planning Solutions Ltd Simple Planning Solutions Ltd, 51, Allesley Hall Drive, Coventry, CV5 9NS

ADDRESS OF DEVELOPMENT:

DUNSMORE KENNEL AND CATTERY, 248, LONDON ROAD, STRETTON-ON-DUNSMORE, RUGBY, CV23 9HX

APPLICATION DESCRIPTION:

Proposed Stationing of a Workers Mobile Home. (Retrospective)

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:

This permission shall be deemed to have taken effect on 02-Sep-26.

REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2:

The development shall be carried out in accordance with the plans and documents detailed below:

Documents received by the Local Planning Authority 24-Sep-25

ApplicationForm.pdf (Application Form)

Sustainability Checklist Feb 2024.pdf (Sustainability Checklist)

Plans received by the Local Planning Authority 23-Mar-26

Drawing No:21.3301.GA.301_B (Site Location plan 1:1250 & Site Block Plan 1:500)

New_Caravan_Plans.pdf (Plans and Elevations 1:100)

Document received by the Local Planning Authority 01-May-26

Report Ref: P9578-NA1-V4 (Noise Impact Assessment)

REASON:

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

CONDITION 3:

The occupation of the dwelling hereby approved shall be limited to a person or persons solely or mainly working in Dunsmore Kennel and Cattery.

REASON:

As the erection of the dwelling is only considered acceptable due to the need for accommodation in association with the existing business.

CONDITION 4:

Within 3 months of the date of this decision notice, details of drainage and wastewater disposal shall be submitted to and approved in writing with the Local Planning Authority. The details shall then be carried out and implemented in full within a 3 month period following the approval of the details.

REASON:

To ensure that risks to the future users of the land and neighbouring land are minimised, and to ensure that the development is carried out safely without unacceptable risks to neighbours, and other off-site receptors.

CONDITION 5:

The noise mitigation measures outlined in the submitted Noise Impact Assessment Ref:P9578-NA1-V4 (dated 1st May 2026) shall be implemented within 3 months of the date of this decision notice and prior to first occupation and thereafter retained and maintained. These measures include:

- a. Building elements of the log cabin building envelope, including walls, roof, and glazing, shall each achieve a minimum sound insulation performance of 33 dB Rw.
- b. Any ventilators to habitable rooms shall be installed so that they achieve a minimum acoustic performance of 33 dB De,w + Ctr in the open position, or an alternative specification demonstrated to achieve the internal noise levels set out within the Noise Impact Assessment.
- c. A close-boarded imperforate fence of minimum height of 1.5 m and minimum density of 10 kg/m² shall be installed to enclose the external amenity area on the quieter façade of the log cabin.

REASON:

To protect the amenity of future occupiers.

CONDITION 6:

The landscaping scheme, as detailed on the approved plans, shall be implemented no later than the first planting season following the date of this decision notice. If within a period of 10 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place.

REASON:

To ensure the proper development of the site and in the interest of visual amenity.

INFORMATIVE 1:

The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species or fruit/berry bearing species should be used, preferably of local provenance. Such plants have a far higher value for local wildlife than cultivated, non-native plants. WCC Ecological Services would be happy to provide further advice if required (01926 418060).

INFORMATIVE 2:

Lighting can have a harmful effect on bats impacting on their use of a roost and also their commuting routes and foraging areas. Light falling on a roost access point is likely to delay bats from emerging, which can be especially damaging around dusk as that is when there is a peak in the number of insects. In the worst case scenario, it can cause the bats to desert the roost. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) (as amended), the latter of which deems them a European Protected Species. Bats, birds and other nocturnal animals should always be taken into account when lighting is being considered. It is respectfully advised that lighting is kept to a minimum around the roof area and is limited to illuminating the ground and not any possible access points or foraging corridor. For further advice on this please contact the WCC Ecological Services on 01926 418060.

Reference: R26/0414

Site Address: SPINNEY CLOSE, BIRDINGBURY ROAD, LEAMINGTON HASTINGS, RUGBY, CV23 8ED

Description: Installation of ground mounted solar panels

Web link: <https://planning.agileapplications.co.uk/rugby/application-details/42081>

Recommendation;

Planning application R26/0414 be approved subject to;

1. The conditions and informatives set out in the draft decision notice appended to this report; and
2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

1.0 Introduction

1.1 This application is being reported to Planning Committee for determination in accordance with the scheme of delegation. In this case it would be point 5.2.3 (f) (ii) as this application was submitted by a current officer at the Council.

2.0 Description of site

2.1 The application site relates to an area of paddock land adjacent to the residential curtilage of and within the ownership of the owner-occupier of Spinney Close, a detached residential dwelling located to the South edge of Birdingbury Road in Leamington Hastings. The site lies within the open countryside, in the Leam Valley Ward and the Leamington Hastings Parish Council Area. The site has no other ground constraints and falls within Flood Zone 1.

2.2 The area of paddock land has a typical timber post and rail fence bounding to all sides and there are trees and foliage providing screen around it also. The land also has sheep and cows currently grazing within it.

3.0 Description of proposals

3.1 The application seeks planning permission for 3 rows of ground mounted solar panels, covering an overall footprint of 22.45 metres by 19.6 metres. Each solar panel will measure 4.15 metres wide by 19.6 metres long. They would be raised approximately 0.35m from the ground at their lowest point and would be 3 metres in height at their maximum point. The system would be 60.06kW with 91.2kW battery storage, with an estimated annual production of 67 MWh and would be to service the dwelling of Spinney Close. The location of the panels within the application site will be to the southeast of the dwelling.

4.0 Planning History

None relevant

5.0 Relevant Planning Policies

5.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Local Plan 2011-2031. The relevant policies are outlined below.

Rugby Borough Local Plan 2011-2031, June 2019

Policy GP1: Securing Sustainable Development

Policy GP2: Settlement Hierarchy

Policy HS5: Traffic Generation and Air Quality, Noise and Vibration

Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets

Policy NE3: Landscape Protection and Enhancement

Policy SDC1: Sustainable Design

Policy SDC8: Supporting the Provision of Renewable Energy and Low Carbon Technology

Policy D1: Transport

5.3 The submission Rugby Local Plan for 2025-2045 was submitted for examination on 27 April 2026. It carries significant weight in decision-making unless referenced otherwise in this report. The relevant policies are outlined below;

Rugby Local Plan 2025-2042 (submission version 27 April 2026)

Policy S1: Settlement Hierarchy

Policy S5: Countryside protection

Policy CL2: Renewable energy and low carbon technology

Policy EN1: Biodiversity and geodiversity protection

Policy EN2: Landscape protection

Policy EN5: Biodiversity net gain

Policy EN8: Environmental protection and amenity

Policy D1: Well-designed places

Policy D3: Landscaping

Policy I1: Transport

National Planning Policy Framework, 2026 (NPPF)

Policy DM1: Preparing Development proposals

Policy DM2: Information requirements

Policy DM3: Determining development proposals

Policy DM4: Emerging Development Plan Proposals

Policy DM6: Use of planning conditions and obligations

Policy S3: Presumption in favour of sustainable development

Policy S5: Principle of development outside settlements

Policy CC2: Mitigation of climate change

Policy W3: Renewable and low carbon energy development and electricity network infrastructure

Policy DP3: Key principles for well-designed places

Policy TR3: Locating development in sustainable locations

Policy TR6: Assessing transport impacts

Policy P3: Living conditions and pollution

Policy N2: Improving the natural environment

Other relevant guidance/documents

- Rugby Borough Council Climate Change Strategy, 2022
- Climate Change & Sustainable Design and Construction, February 2023
- Rural Sustainability Study 2024
- National Planning Policy Guidance (NPPG)
- Department for Energy Security & Net Zero National Policy Statement for Renewable Energy
- Infrastructure (EN-3), 2025
- National Electricity Transmission System Operator – Clean Power 2030, 2024

6.0 Technical consultation responses

WCC Highways: No objection. The proposed solar panels would be south facing and so there should be no potential for glare affecting users of the public highway including nearby Birdingbury Road. There are no public rights of way that would be affected.

WCC Ecology: No objection subject to conditions.

7.0 Third party comments

Letters were sent to neighbouring properties and a site notice was displayed. No comments were received.

8.0 Assessment of proposals

8.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications.

8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. As set out above, the Development Plan in this case is the Rugby Local Plan.

8.3 Annex A paragraph 2 on the NPPF (2026) states that development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the Framework should be given very limited weight. However, it clarifies that development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the 2026 NPPF. This report therefore sets out any policy which is considered to be materially inconsistent with the NPPF and the weight therefore attributed to it. If no assessment is made the policy is considered to be materially consistent with the NPPF.

8.4 NPPF Policy DM4 for Emerging development plan proposals states the following:

1. When preparing and considering development proposals, relevant policies in emerging development plans may be given weight according to:
 - a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

8.5 The Rugby Local Plan 2025-2042 (submission version 27 April 2026) has been submitted to the Planning Inspectorate for examination. Bearing in mind NPPF Policy DM4, the submission Local Plan holds significant weight in decision making unless otherwise referenced in this report.

8.6 The key issues to assess in the determination of this application are:

- Principle of development
- Landscape and Visual Impact
- Character & Design
- Residential Amenity & Environmental impacts
- Ecology and biodiversity
- Highway safety
- Community Infrastructure Levy
- Equality implications

9.0 Principle of development

9.1 Policy GP1 of the Local Plan states that when considering development proposals, a positive approach will be taken on development that reflects the presumption in favour of sustainable development and to secure development that improves the economic, social and environmental conditions in the area.

9.2 Policy S3 of the NPPF sets out the presumption in favour of sustainable development and states that Policy S5 should be applied when considering development proposals outside of settlements and that in all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

9.3 NPPF Policy S5(1) for Principle of development outside settlements states that “*only certain forms of development should be approved outside settlements, as set out in the following list [contained in this part].*” The proposals do not fall into any of these criteria.

9.4 NPPF Policy S5(4) then states that:

Development proposals which do not fall within one of the categories set out in this policy should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement.

Therefore, this will be assessed later within the planning balance.

9.5 NPPF Policy CC2(1)(e) for Mitigation of climate change states:

In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal... Take advantage of opportunities to draw low carbon energy from decentralised networks (such as district heat networks), where these are available, and to co-locate energy and heat generators and users, especially to take advantage of suppliers of surplus heat and energy;

The proposals would meet this policy in that this is their intention and effect.

9.6 CC2(2) then further states that:

Substantial weight should be given to the benefits of...drawing energy from district heat networks, renewable and low carbon sources (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights) where this would be achieved through proposals for development.

9.7 NPPF Policy W3 for Renewable and low carbon energy development and electricity network infrastructure states in W3(1)(a) and W3(1)(c) that:

1. *In considering proposals for renewable and low-carbon energy development and electricity network infrastructure, **substantial weight should be given to:***
 - a. *The benefits for improving energy security, supporting economic development and/or the transition to a net zero future (meets this, give substantial weight);*
 - c. *The contribution that small-scale and community-led renewable and low carbon energy projects can make to reducing greenhouse gas emissions, along with their associated economic and social benefits (meets this, give substantial weight, and has economic and social benefits).*

9.8 The proposals would meet both of these criteria and therefore substantial weight should be given to both of these elements, and regarding part c would be considered to have both economic and social benefits.

9.9 Furthermore, NPPF policy W3(2) then states:

Applicants should not be required to demonstrate the need for renewable or low carbon energy development and electricity network infrastructure. Where proposals for this form of development come forward outside areas which have been identified as suitable for them in the development plan, their acceptability should be assessed against the national decision-making policies in this Framework, taken as a whole.

9.10 As the site is within the countryside, the acceptability of the proposals should be assessed in accordance with the NDMPs as taken as a whole as is set out here.

9.11 The development is consistent with the guidance provided within the Renewable Energy Infrastructure (EN-3) statement: The application site:

- Will allow the continued grazing use of the agricultural land alongside the ground mounted solar panels
- Has a successful grid connection application

- Landscape and visual impacts will be mitigated by existing planting.
- There are no glint and glare harms to any nearby dwellings
- Has suitable access from the main road for the installation of the solar panels.
- Will not be affected by and will not affect any public rights of way.

9.12 These elements will be further explored in their relevant sections.

9.13 The UK Government declared a climate emergency, setting a statutory target of achieving net zero emissions by 2050. The Draft NPS EN-3 Renewable Energy (September 2021) highlights that electricity generation from renewable sources of energy is an essential element of the transition to net zero and identifies that the government is committed to sustained growth in solar capacity (as a key part of the Government's strategy) to ensure that net zero emission targets are met.

9.14 Policy GP2 of the Current Local Plan and Policy S1 of the Submission Local Plan outline that development will be allocated in accordance with the settlement hierarchy, with new development in the Countryside being resisted and only where national policy in the Countryside will development be permitted. The Local Plans identify and provide allocations for development within the context of the settlement hierarchy. Policy S1 does not seek to amend the hierarchy of any of the settlements currently referenced based on the Rural Sustainability Study (2024).

9.15 Policy S5(A) of the Submission Local Plan for Countryside Protection states that "Outside of the settlement boundaries shown on the policies map, new development will only be permitted where it is in accordance with a policy of this plan which supports development in such locations.

9.16 Below this, Paragraph 1.31 then states "Under paragraph A, policies of this plan which, in principle, support specific types of development in rural locations are: Submitted Local Plan Policy CL2 Renewable energy and low carbon technology which states that such development will be permitted when it accords with this policy and other relevant policies of the plan. Specifically, the proposal would meet the following relevant paragraphs E and F:

- E. Energy storage infrastructure will be permitted where it is co-located with renewable energy development; or it alleviates grid constraints and contributes to delivery of renewable energy.*
- F. Significant positive weight will be given to renewable and low carbon energy development which has clear evidence of local community involvement and leadership.*

9.17 It should be noted that CL2 is materially inconsistent with the NPPF, including in regard to Part E and is requested to be removed, as it is inconsistent with NPPF Policies S5 and W3 which establish the acceptability of the principle of the development and ascribes the weight to be given to it, and therefore should be given limited weight.

9.18 Alongside CL2, Paragraph 2.5 sets out that "Renewable energy development proposals will be considered against other relevant policies of this plan including EN1 (Biodiversity and geodiversity protection), EN2 (Landscape protection), EN8 (Environmental protection and amenity), and D4 (Historic environment). Impacts on the amenity of neighbouring uses must be assessed to be acceptable in line with policy EN8. These elements will be assessed later in their relevant sections.

9.19 Policy SDC8 of the Current Local Plan states that proposals for low carbon and renewable energy technologies will be supported in principle subject to complying with a range of criteria. Those criteria relating to design, visual and landscape impact, impacts on adjacent land uses and residential amenity, and the natural and historic environment will be assessed later in this report. Furthermore, 'Where greenfield sites are proposed it should be demonstrated that the use of any agricultural land is necessary and where applicable the proposal allows for continued agricultural use. It should be noted that SDC8 is overall materially inconsistent with the NPPF, and some elements of SDC8 which are required to be demonstrated (including the element requiring local backing) are not consistent with it, and NPPF Policy S5 takes precedence in the establishment of the acceptability of such development, and so this policy should be given limited weight.

9.20 Further to the above, Rugby Borough Council declared a climate change emergency in July 2019 as a pledge to take local action to contribute to national carbon neutrality and reduction targets. Climate change is a major, global issue and Rugby Borough must take steps to reduce its causes and make plans to respond to its effects at the local level. It has produced a Climate Strategy, this refers to the Council taking action to increase green energy production within the Borough.

9.21 The strategy sets out the Council's commitment to:

- Move the Council's operations towards Carbon Neutrality by 2030
- Establish action to tackle climate change as a key driver of all decision-making.
- Provide community leadership in reducing the impact of Climate Change.
- Take action to reduce the impact of climate change on a Borough wide basis and beyond, through adaptation.

9.22 Its also states "with an estimated 158,000 tCO₂e emissions arising from home energy in Rugby, there is an increasing need to ensure that all homes in the Borough can become more energy efficient and transition to more sustainable sources of energy." It says it will investigate and where appropriate take action to increase green energy production within the Borough.

9.23 Therefore, as assessed throughout this section, it is considered that whilst the site lies in the open countryside under policies GP2 of the Local plan and S1 of the Submission Local plan, the application is strongly supported by National and Local current and emerging development plan polices, including the NDMPs when read as a whole, subject to the detailed matters which will be considered below, and the relevant substantial weights set out above will be given to the benefits of such development and weighed later the planning balance against any adverse impacts within, to determine if exceptional circumstances exist for the proposal.

10.0 Landscape and Visual Impact

10.1 NPPF Policy N2(1)(d) for Improving the Natural Environment states that development proposals should conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings.

10.2 Current Local Plan Policy NE3 Landscape Protection and Enhancement states new development which positively contributes to landscape character will be permitted.

10.3 Current Local Plan Policy SDC2 Landscaping states that landscape aspects of a development proposal will be required to form an integral part of the overall design, to include the identification and retention of important site features.

10.4 Currently Local Plan Policy SDC8 states that specific consideration will be given to the effect of glint and glare on neighbouring uses.

10.5 Submission Local Plan Policy EN2 for Landscape Protection requires development to avoid significant adverse impacts including visual impacts and avoid detrimental impacts on landscape features which make a significant contribution to the character of the area.

10.6 The existing landscape features, mainly the foliage and trees to the boundaries of the site, which ensure screening of the proposal will remain intact and will not be affected by the proposals, and the physical scale and footprint of the proposals is minor and limited in nature. The proposal would have little to no visual appreciation from outside of the site.

10.7 It is not envisaged that any adverse glint and glare impacts will result to either neighbouring properties or the road given the significant distance of any other properties from the proposals, the screening of and the setback nature of the site, and the proposed location of the panels within the site from the road.

10.8 Therefore the level of visual impact will be minimal given its location, and its landscaping impact will be minimal, with suitable features retained in accordance with NPPF Policy N2(1)(d), Current Local Plan Policies NE3, SDC2 and SDC8 and Submitted Local Plan Policies EN2.

11.0 Character & Design

11.1 NPPF Policy DP3 states that Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings and that substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

11.2 Current Local Plan Policy SDC1 states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the area in which they are situated.

11.3 Current Local Plan Policy SDC8 supports new low carbon and renewable energy technologies in principle where it is demonstrated that the proposal has been designed, in terms of its location and scale, to minimise any adverse impacts on adjacent land uses and local residential amenity.

11.4 Submission Local Plan Policy D1 states that new development shall respond appropriately to context and character (including historical as well as physical characteristics) in its build form, layout, orientation, density/grain, height, materials and massing; and create or contribute to well designed places. It also states that all development shall have an appropriate relationship with and enclosure to the street.

11.5 The design of the proposed development has been informed by the context of the site and its surroundings. The context of the site is that it is a small parcel of agricultural paddock land directly adjacent to and within the ownership of the adjacent dwelling and has been designed to

that of typical physical scale, heights and appearance for that of usual ground mounted solar panels, and is limited to this in terms of the equipment and buildings proposed, which is proportionate the type and scale of site. The panels are functional in their appearance, reflecting the purposes, which is for the generation of electricity.

11.6 They have also carefully been chosen to be placed near the rear of the site so that it is out of direct view of the street and the dwelling itself, but will be able to serve the dwelling still.

11.7 Therefore it is considered that the proposals would be in accordance with SDC1 of the Current Local Plan, Submission Local Plan Policy D1 and Paragraph the relevant parts of NPPF Policy DP3 in this regard subject to conditions. Substantial weight should be given to proposals that are compliant with DP3.

12.0 Residential amenity and environmental impacts

12.1 NPPF Policy P3 states that Development proposals should be appropriate for their location, taking into account the likely effects of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity.

12.2 Policy SDC8 of the Local Plan states proposals for renewable energy will be supported in principle subject to criteria being demonstrated. One of the criteria being the proposal has been designed, in terms of its location and scale, to minimise any adverse impacts on adjacent land uses and local residential amenity. Policy SDC1 seeks to protect existing occupiers.

12.3 Submission Local Plan Policy EN8 requires development to protect the amenity of neighbours and occupiers in terms of ventilation, daylight, sunlight, privacy, security and avoiding an overbearing impact. It also requires development not to cause unacceptable harm to human health, living conditions or the natural environment through noise.

12.4 Open land surrounds the site, and the proposals are a significant distance from any other properties or uses, and given the limited scale and nature of the proposals, it is not envisaged that any detrimental impacts will arise in the regard of a physically overbearing impact or loss of light or privacy, or undue impacts in terms of noise, air quality or other forms of pollution.

12.5 Therefore it is considered that the application would be in accordance with NPPF Policy P3, Current Local Plan Policy SDC1 & SDC8 and Submission Local Plan Policy EN8.

13.0 Ecology and biodiversity

13.1 NPPF Policy N2 for improving the Natural Environment expects proposals to contribute positively to the natural environment and support nature's recovery. N2(1)(a) and N2(1)(f) specifically states that to achieve this development proposals should:

a. Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply); and

f. Minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should

incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective

13.2 Policy NE1 Protecting Designated Biodiversity and Geodiversity Assets of the Rugby Borough Council Local Plan 2011-2031 states that the Council will protect designated areas and species of international, national, and local importance for biodiversity and geodiversity. In addition, development will be expected to deliver a net gain in biodiversity.

13.3 Submission Local Plan Policy EN1 makes clear that National policy and legislation will be applied in determining planning applications that have potential to harm biodiversity. The mitigation hierarchy in national policy of avoid, mitigate, compensate will be applied.

13.4 Submission Local Plan Policy EN5 Sets out how Biodiversity Net Gain will be delivered, with the priority order of the most preferred location being onsite, off-site but as close as feasible to the site, off-site but still within the Rugby Borough or off-site credits or statutory biodiversity credits as a last resort where justified.

13.5 As the application was received after February 2024 there is a requirement for 10% Biodiversity Net Gain (BNG) to be provided, either on-site or through off-site mitigation, in accordance with the Town and Country Planning Act.

13.6 The application was accompanied by a Preliminary Ecological Assessment, a Biodiversity Net Gain Assessment Statement and a BNG metric .

13.7 Warwickshire County Council Ecology have been consulted and have raised no objection subject to conditions. River Leam, potential Local Wildlife Site (pLWS) is 350m north of the application site.

13.8 Ecology are satisfied with the BNG provision at the site which would be 0.10 units (50.11%), which is to be achieved on site through proposed enhancement of 0.09844ha modified grassland from poor to moderate condition. This proposed enhancement is not considered 'significant' according to government definitions. Monitoring fees secured by S106 are therefore not recommended on this occasion.

13.9 They have also made clear that the deemed condition linked to Environment Act 2021 will apply. To support discharge of the deemed condition, a completed Biodiversity Gain Plan (BGP), a Habitat Management and Monitoring Plan (HMMP), including a detailed proposed habitat/landscape plan and corresponding Defra metric must be submitted to the LPA. A separate condition for a HMMP is recommended to ensure enactment of the HMMP.

13.10 Regarding Protected Species, the development proposed on the site, consisting of modified grassland, is not likely to directly impact any protected or notable species. The PEA report contains some recommendations, which should be considered during any clearance and installation stages to ensure that protected, important and priority species and their habitats are not harmed by the development.

13.11 Therefore it is considered that Biodiversity will be adequately protected and the required net gains will be provided and exceeded suitably on site, subject to conditions in accordance with NPPF Policy N2, Current Local Plan Policy NE1, and submission Local Plan Policies EN1 and EN5.

14.0 Highway Safety

14.1 NPPF Policy TR3 for Locating development in sustainable locations seeks for development to be located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, taking into account the vision for the site, the type of development and its location.

14.2 NPPF Policy TR6(3) and TR6(4) for Assessing transport impacts state:

3. In assessing movement patterns and potential impacts, including whether they are considered to be severe, reasonable future scenarios should be considered and

4. Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

14.3 Policies D1 of the Current Local Plan states that there should be opportunities for sustainable transport, that a safe and suitable access to the site can be achieved and Submission Local Plan Policies I1 reflects this.

14.4 WCC Highways were consulted and have raised no objection in terms of highway safety, and there will be minimal to no movements generally or regularly generated either as a result of the installation of or the operation of the solar panels and therefore the proposals would be in accordance with the NPPF Policies TR3 and TR6, Current Local Plan Policy D1 and Submission Local Plan Policy I1.

15.0 Community Infrastructure Levy

15.1 The Council's Community Infrastructure Levy (CIL) charging schedule came into effect on 1st April 2024, this is in accordance with the Planning Act 2008 and Community Infrastructure Regulations 2010.

15.2 In this case, the proposal is for ground mounted solar panels and therefore is not liable for CIL.

16.0 Equality Implications

16.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

16.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

16.3 There are no known equality implications arising directly from this development.

16.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

17.0 Planning Balance and Conclusion

17.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

17.2 In the introduction of the NPPF 2026, Paragraph 17 sets out that the 3 overarching objectives of the planning system are economic, social and environmental.

17.3 As per NPPF Policy S5(4), it will be weighed here in the Planning Balance as to whether the proposal would be considered to have *exceptional circumstances and should therefore be approved; where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement.*

17.4 The application is considered to comply with NPPF Policies CC2, W3, and further supported by the Renewable Energy Infrastructure (EN-3) statement which seeks to deliver this, as well as Policies GP2 and SDC8 (in part, but only to be given limited weight) of the Current Local Plan and Policies S1, S5 and CL2 (to be given limited weight) of the Submission Local Plan, and the Local Rugby Borough Council Climate Emergency with its aims and strategy, in terms of the principle of the development and the evidence for its need.

17.5 In terms of the detailed issues and policies which have been considered at National and Local level, the proposals will not be detrimental to the physical or landscape character of the site or the area, in its design, and will not cause any adverse neighbour amenity impacts nor ecological impacts, and would not have an unacceptable or severe impact on highway safety.

17.6 Therefore, it is considered that while the site lies in the open countryside, the application is strongly supported by National and Local current and emerging development plan policies, including the NDMPs when read as a whole, and the relevant substantial weights will be given to the benefits of such development below.

Benefits

17.7 NPPF Policy W3 requires that substantial weight should be given to the benefits for improving energy security, supporting economic development and/or the transition to a net zero future, which is met.

17.8 W3 also recognizes the contribution that small-scale and community-led renewable and low carbon energy projects can make to reducing greenhouse gas emissions, along with their associated economic and social benefits, but the clear environmental benefits of this are also noted here, to which it says substantial weight should be given.

17.9 NPPF Policy CC2 states that *Substantial weight should be given to the benefits of...drawing energy from district heat networks, renewable and low carbon sources (including through the installation of heat pumps and solar panels ...) where this would be achieved through proposals for development.*

17.10 The proposals would also provide ecological (hence further environmental) benefits in the substantial biodiversity net gain that will be delivered as part of the development, and therefore this is given significant weight.

Harms

17.11 There are no notable harms that would arise as a result of this proposal.

Conclusion

17.12 Therefore, it is considered that while the site lies in the open countryside, the application is strongly supported by National and Local Current and Emerging development plan policies, including the NDMPs when read as a whole, and that there are no adverse impacts that would outweigh the substantial benefits of the proposals, and therefore that exceptional circumstances for approving development in the countryside exist, and that the application should be approved in accordance with NPPF Policy S5 and the Current and Emerging Local Plans without delay.

Recommendation

Planning application R26/0414 be approved subject to;

1. The conditions and informatives set out in the draft decision notice appended to this report;
2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

DRAFT DECISION

REFERENCE NO:
R26/0414

DATE APPLICATION VALID:
21-May-2026

APPLICANT:
MR Nick Marsden, Spinney Close, Birdingbury Road, CV23 8ED

AGENT:
Michelle Hill, Simple Planning Solutions Ltd, 51 Allesley Hall Drive, Coventry, CV5 9NS

ADDRESS OF DEVELOPMENT:
SPINNEY CLOSE,
BIRDINGBURY ROAD,
LEAMINGTON HASTINGS,
RUGBY,
CV23 8ED

APPLICATION DESCRIPTION:
Installation of ground mounted solar panels

CONDITIONS, REASONS AND INFORMATIVES:

DEEMED CONDITION:

In accordance with the Environmental Act 2021, Schedule 14, paragraph 13 and the Town and Country Planning Act 1990 Schedule 7A, paragraph 13:

the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be Rugby Borough Council.

CONDITION 1:

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2:

The development shall be carried out in accordance with the plans and documents detailed below:

Location Plan 1:1250 - Received 13.05.2026

0030 - OT - XX - XX - DR - 0001 P01 Proposed Site Plan 1:250 - Received 24.04.2026

0030 - OT - XX - XX - DR - 0001 P01 Proposed Site Plan 1:500 - Received 24.04.2026

Solar Array Plans & elevations - Received 13.05.2026

Spinney Close Panel Section Drg1 1:50 - Received 13.05.2026

Biodiversity Net Gain Assessment Arbtech Dated 4th April 2026 - Received 24.04.2026

Neostar 3S54 Mon-Glass Module 460W-475W Aiko - Received 24.04.2026

Insolation Solar Ltd 60.06kW Solar System - Received 24.04.2026

Wagner Solar Greenfield Racking System TRIC flex four - Received 24.04.2026

REASON:

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

CONDITION 3:

A Habitat Management and Monitoring Plan (HMMP) for a minimum 30-year timeframe shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the HMMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including annual work plan capable of rolling forward over a five-year period).
- g) Details of the body or organisation responsible for implantation of the plan.
- h) Ongoing monitoring and remedial measures.
- i) The completed statutory metric applied to the application site to demonstrate that a biodiversity net gain will be achieved.
- j) Locations and numbers of bat and bird boxes, reptile, and amphibian refugia, invertebrate boxes
- k) Details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where results from monitoring show that conservation aims and objectives of the HMMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON:

To ensure a mandatory Biodiversity Net Gain in accordance with the Environment Act, the NPPF and to safeguard biodiversity in accordance with the Local Plan (2011-2031) Policy NE1.

DRAFT

Reference: R26/0645

Site Address: 12, THE HALL CLOSE, DUNCHURCH, RUGBY, CV22 6NP

Description: Convert existing carport to habitable area to include a WC and WHB. Installation of solar panels to rear elevation roof

Web link: <https://planning.agileapplications.co.uk/rugby/application-details/42338>

Recommendation;

Planning application R26/0645 be approved subject to:

1. The conditions and informatives set out in the draft decision notice appended to this report; and
2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

1.0 Introduction

1.1 This application is being reported to Planning Committee for determination in accordance with the scheme of delegation. In this case it would be point 5.2.3 (f) (ii) as this application was submitted by a current officer at the Council.

2.0 Description of site

2.1 The application dwelling is a link-detached bungalow situated on The Hall Close within the settlement of Dunchurch. The application site is located approx. 3 miles south of Rugby Town Centre. The surrounding area is residential in character; the properties along The Hall Close vary in size, design and materials. These properties have front amenity spaces that are often used for parking.

2.2 The property itself comprises of light brick work with white UPVC window and door openings. The application dwelling sits upon a gable roof. The property features a car port and garage to the western side, and the carport and garage comprises of flat felt roof. The front amenity space is mostly laid to lawn; to the west there is hardstanding which is used for parking. The rear amenity space is mostly laid with lawn with some hardstanding near the main dwellinghouse.

3.0 Description of proposals

3.1 This application seeks permission for the conversion of the existing carport to a habitable room, and solar panels to the roof of the rear elevation.

3.2 The existing carport would be bricked up with door and windows proposed to the front elevation. The rear elevation of the car port would be bricked up with a door. The proposed

development would be constructed out of materials which match those of the existing dwellinghouse. There would be internal alterations to the existing house to provide additional insulation.

3.3 The proposed development would comprise of solar panels being installed to the rear elevation of the existing roof. The solar panels would be set down from the roof ridge.

4.0 Planning History

4.1 No relevant planning history.

5.0 Relevant Planning Policies

5.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Local Plan 2011-2031. The relevant policies are outlined below.

Rugby Borough Local Plan 2011-2031, June 2019

GP1: Securing sustainable development

GP2: Settlement hierarchy

SDC1: Sustainable design

SDC4: Sustainable buildings

D2: Parking facilities

HS5: Traffic generation and air quality

5.3 The submission Rugby Local Plan for 2025-2045 was submitted for examination on 27 April 2026. It carries significant weight in decision-making unless referenced otherwise in this report. The relevant policies are outlined below;

Rugby Local Plan 2025-2042 (submission version 27 April 2026)

S1: Settlement Hierarchy

CL4: Climate adaptation

D1: Well-designed places

D2: Infill and householder development

EN8: Environmental protection and amenity

EN9: Air quality

I2: Parking

National Planning Policy Framework, August 2026 (NPPF)

Policy DM1: Preparing Development proposals

Policy DM2: Information requirements

Policy DM3: Determining development proposals

Policy DM4: Emerging Development plan proposals

Policy DM6: Use of planning conditions and obligations

Policy S3: Presumption in favour of sustainable development

Policy S4: Principle of development within settlements

Policy L2: Making effective use of land
Policy L3: Achieving appropriate densities
Policy DP3: Key principles for well-designed places
Policy TR4: Street Design, access and parking
Policy P3: Living conditions and pollution

Supplementary Planning Documents

- Rugby Borough Council- Climate Change & Sustainable Design and Construction, 2023: including Residential Design Guide

6.0 Technical consultation responses

6.1 None requested

7.0 Third party comments

7.1 Ward Councillors and neighbours notified, and no comments were received.

8.0 Assessment of proposals

8.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications.

8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. As set out above, the Development Plan in this case is the Rugby Local plan.

8.3 Annex A paragraph 2 on the NPPF (2026) states that development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the Framework should be given very limited weight. However, it clarifies that development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the 2026 NPPF. This report therefore sets out any policy which is considered to be materially inconsistent with the NPPF and the weight therefore attributed to it. If no assessment is made the policy is considered to be materially consistent with the NPPF.

8.4 The key issues to assess in the determination of this application are:

Section 9- Principle of development
Section 10- Character and design
Section 11- Impact on neighbouring properties,
Section 12- Highway safety & parking
Section 13- Climate change & sustainable design,
Section 14- Air quality
Section 15- Community Infrastructure Levy
Section 16- Equality Implications

9.0 Principle of development

9.1 Policy GP1 of the Local Plan echoes the NPPF's presumption in favour of sustainable development and states that when considering development proposals, a positive approach will be taken on development that reflects the presumption and to secure development that improves the economic, social and environmental conditions in the area.

9.2 Policy S3 of the NPPF sets out the presumption in favour of sustainable development and states that Policy S4 should be applied when considering development proposals within settlements and that in all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

9.3 Policy GP2 of the Local Plan and Policy S1 of the Submission Local Plan both detail the settlement hierarchy and sets out the areas in which development will be supported. The site is within the settlement of Dunchurch; the policy states development will be permitted within the existing boundaries of all Main Rural Settlements. The proposal therefore accords with the locational strategy for development within Policy GP2 and Policy S1.

9.4 Policy S4 of the NPPF deals with development within settlements. It states that development should be approved unless the benefits of doing so would be substantially outweighed by adverse effects when assessed against the national decision-making policies in the Framework.

9.5 This application seeks permission for an extension to an existing dwelling located within the confines of a main rural settlement and is considered to be acceptable in principle, subject to the consideration of its detailed impacts that are assessed below. The proposal is therefore in compliance with Policy GP2 of the Local plan and Policy S1 of the Submission Local plan and Policies S3 and S4 of the NPPF (2026).

10.0 Character and Design

10.1 Policy SDC1 of the Local Plan and Policy D1 of the submission Local Plan state that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of scale, density and design that responds to the character of the area in which they are situated. Policies L3 and DP3 of the NPPF build on aims of Policy SDC1 of the Local Plan.

10.2 Policy D2 of the submission Local Plan states that extensions and alterations to existing dwellings shall be of high-quality design, be subservient in scale to the host building and integrate with the existing property by reflecting its features such as an appropriate choice of materials.

10.3 The proposed development would result in the existing car port being bricked up with a window and door to the front elevation. The window would be similar in character to existing windows on the front elevation of the property. It is considered that there would be minimal impact on the character of the dwellinghouse and the wider street scene.

10.4 The rear elevation of the car port would be bricked up with a door. The rear elevation would not be visible from the street scene which results in minimal impact on the character of the area.

10.5 The proposed development would be constructed out of materials which match those of the existing dwellinghouse. This will be secured by condition (Condition 3).

10.6 The solar panels would not be visible from the street scene which results in minimal impact on the character of the area.

10.7 The extensions would not constitute over development of the plot, and it is considered that this development would be appropriate in terms of scale, height, and siting.

10.8 This application is therefore considered to be in accordance Policy SDC1 of the Local Plan, Policies D1 and D2 of the submission Local Plan and Policies L3 and DP3 of the NPPF (2026).

11.0 Impact on neighbouring properties

11.1 Policy SDC1 of the Local Plan and Policy EN8 of the submission Local Plan state that proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded. Policy EN8 of the submission Local Plan relates to environmental protection and amenity and states at b) new development should not have an unacceptable impact on the amenity of existing or proposed users or occupants of neighbouring buildings or land with Policy D2 relating to householder development at v) requiring new development to safeguard the amenity of neighbouring occupiers in line with Policy EN8. Policy P3 of the NPPF build on aims of Policy SDC1 of the Local Plan.

11.2 It is considered that no neighbouring properties would be impacted by the proposed development.

11.3 The proposed development would not increase the footprint of the dwelling when compared to existing. Due to the nature of the proposal, it is considered that the proposed development would not create any additional overshadowing concerns.

11.4 The Climate Change and Sustainable Design SPD states there *should be a distance of no less than 21 metres window to window*. Due to the positioning of the application dwelling, the windows on front elevation of the property face onto The Hall Close and do not face a blank elevation or window of a neighbouring property. Therefore, there would be no additional privacy or overlooking concerns.

11.5 It is considered that the impact on neighbouring properties is acceptable. This application is therefore considered to be in accordance with Policy SDC1 of the Local Plan, Policy EN8 of the submission Local Plan and Policy P3 of the NPPF (2026).

12.0 Highway Safety & Parking

12.1 Policy D2 of the Local Plan and Policy I2 of the submission Local Plan state that permission will only be granted for development incorporating adequate and satisfactory parking facilities. NPPF policy TR4 states that in contributing to creating well-designed places, transport considerations should be integral to the design of development. Paragraph (e) states that proposals should provide a suitable number of parking spaces where appropriate reflecting the location and nature of the development and any locally-set standards in the development plan.

12.2 The existing car port has a width of approximately 2.55 metres. The Councils standards require that a parking space within a garage or car port has a minimum width of 3.5 metres, therefore it is considered that the proposed development would not result in the loss of any parking provision.

12.3 The existing parking arrangement would remain at the property. The Councils standards would require 3 spaces in this location, and it is considered that 3 spaces will remain which is inclusive of the existing driveway and the existing garage which will remain.

12.4 This application is therefore considered to be in accordance with Policy D2 of the Local Plan and Policy I2 of the submission Local Plan and Policy TR4 of the NPPF (2026).

13.0 Climate Change and Sustainable Design

13.1 The Council has declared a 'Climate Emergency' pledging to take local action to contribute to national carbon neutrality targets; including recognising steps to reduce its causes and make plans to respond to its effects at a local level.

13.2 Local Plan Policy SDC4 read in conjunction with the Climate Change and Sustainable Design and Construction SPD, which sets out further guidance on how the development is required to demonstrate compliance with matters relating to climate change and a reduction in carbon emissions. Policy CL4 of the submission Local Plan states that all developments shall be resilient to, and adapt to future impacts of Climate Change.

13.3 The application is accompanied by sustainability checklist which provides details of how the development proposes to incorporate solar panels and high-level insulation to ensure airtightness.

13.4 It is considered that the applicant has demonstrated how energy efficiency and sustainability has been incorporated within the development and therefore the development complies with Policy SDC4 of the Local Plan and Policy CL4 of the submission Local Plan.

14.0 Air Quality

14.1 Policy HS5 of the Local Plan and Policy EN9 of the submission Local Plan require that development within the Air Quality Management Area as defined in Appendix 8 of the Local Plan that would generate any new floor space must achieve or exceed air quality neutral standards. NPPF Policy P2 echoes this. If air quality neutral standards are not met, points 2, 3 and 4 of the policy detail how developments should address the impacts of poor air quality, including mitigation measures.

14.2 The Local Plan defines Air Quality Neutral as "emissions from the development proposal being no worse, if not better, than those associated with the previous use."

14.3 It is recognised that the current proposal increases floor space within the Air Quality Management Area and as such policy HS5 is relevant.

14.4 As the proposal does not involve a significant increase in emissions that materially affects the AQMA compared with the existing property, the proposal is considered to achieve or exceed

air quality neutral standards. As a result, mitigation as detailed in points 2, 3 and 4 of the policy are not required. An informative will be included in the decision notice to advise the applicant of additional air quality mitigation

14.5 This application is therefore considered to comply with Policy HS5 of the Local Plan, Policy EN9 of the submission Local Plan and Policy P2 of the NPPF (2026).

15.0 Community Infrastructure Levy

15.1 The Council's Community Infrastructure Levy (CIL) charging schedule came into effect on 1st April 2024, this is in accordance with the Planning Act 2008 and Community Infrastructure Regulations 2010.

15.2 As the proposals include a residential extension that creates less than 100 sq m of new floorspace, this development is not liable for CIL.

16.0 Equality Implications

16.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

16.2 *A public authority must, in the exercise of its functions, have due regard to the need to:*
(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

16.3 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

16.4 There are no known equality implications arising directly from this development.

16.5 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

17.0 Planning Balance and Conclusion

17.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

17.2 Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework.

17.3 The proposal would respect the scale and character of the existing dwelling and would not have an adverse impact on the character of the area. It would not adversely affect the amenities of neighbouring properties. In addition, a suitable level of parking facilities will be retained. The proposal is in compliance with adopted Local Plan Policies GP1, GP2, SDC1, SDC4 and D2.

17.4 Furthermore, the development complies with Policies S1, D1, D2, EN8 and I2 within the submission version of the Rugby Borough Local Plan (2025-2042), which significant weight is given to.

17.5 Having regard to national policy and the presumption in favour of sustainable development it is therefore considered that the proposal would comply with the development plan as a whole. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved subject to conditions and informatives.

18.0 Recommendation

Planning application R26/0645 be approved subject to:

1. the conditions and informatives set out in the draft decision notice appended to this report; and
2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

DRAFT DECISION

REFERENCE NO:
R26/0645

DATE APPLICATION VALID:
06-Aug-2026

APPLICANT:
SHAKIERA BASSI 12, THE HALL CLOSE, DUNCHURCH, RUGBY, CV22 6NP

ADDRESS OF DEVELOPMENT:
12, THE HALL CLOSE, DUNCHURCH, RUGBY, CV22 6NP

APPLICATION DESCRIPTION:
Convert existing carport to habitable area to include a WC and WHB. Installation of solar panels to rear elevation roof

CONDITIONS, REASONS AND INFORMATIVES:
CONDITION 1:
The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON:
To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2:
The development shall be carried out in accordance with the plans and documents detailed below:

- Existing and Proposed Roof Plan Drg No. 2026/00204 Rev A/1
Received by the Local Planning Authority 14.07.2026

- Site Location Plan (112-The-Hall-Close-LOCATION PLAN.pdf)
- Block Plan (212-The-Hall-Close SITE PLAN.pdf)
Received by the Local Planning Authority 28.07.2026

- Proposed Elevations Drg No. 2026/00204 Rev A/2
- Existing and Proposed Floor Plans Drg No. 2026/00204 Rev A
- Proposed Drainage Drg No. 2026/00204 Rev A/3
Received by the Local Planning Authority 06.08.2026

REASON:
For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

CONDITION 3:
The facing materials to be used on the external walls shall be of the same type, colour and texture as those used on the existing building.

REASON:
To ensure a satisfactory external appearance.

INFORMATIVE 1:

The applicant is encouraged to incorporate measures to assist in reducing their impact upon the Air Quality Management Area as part of this development. Initiatives could include the installation of an ultra-low emission boiler (<40mg/kWh), increased tree planting/landscaping, solar thermal panels, and the incorporation of electric vehicle charging points on any car parking. More information on plants that can be incorporated into landscaping for green walls and roofs can be found here:

https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf Such measures contribute towards improving air quality.

Further information can be obtained from Environmental Health on 01788 533857 or email ehcs@rugby.gov.uk

INFORMATIVE 2:

Environmental Services advise that in order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site should not occur outside the following hours: -

Monday - Friday - 7.30 a.m. - 6.00 p.m.

Saturday - 8.30 a.m. - 1.00 p.m.

No work on Sundays & Bank Holidays.

Reference: R26/0653

Site Address: 100, KINGSLEY AVENUE, RUGBY, CV21 4JZ

Description: Single Storey Rear Extension and Alterations to the Front Elevation

Web link: <https://planning.agileapplications.co.uk/rugby/application-details/42361>

Recommendation;

Planning application R26/0653 be approved subject to:

1. The conditions and informatives set out in the draft decision notice appended to this report; and
2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

1.0 Introduction

1.1 This application is being reported to Planning Committee for determination in accordance with the scheme of delegation. In this case it would be point 5.2.3 (f) (ii) as this application was submitted by a current officer at the Council.

2.0 Description of site

2.1 The application dwelling is a two-storey semi-detached property situated on Kingsley Avenue and is located approx. 1.4 miles southeast of Rugby Town Centre. The surrounding area is residential in character and Kingsley Avenue has several properties designed in a similar manner, being semi-detached two storey dwellings. These properties have front amenity spaces majority of which are used for parking.

2.2 The application property comprises of a mixture of red brick, pebbledash and render with white UPVC window and door openings. The application dwelling sits upon a hipped roof. The application dwelling has a front amenity space; this space is paved and used for parking. The rear amenity space is mostly laid with lawn with some hardstanding near the main dwellinghouse and at current there is a conservatory situated to the rear.

3.0 Description of proposals

3.1 This application seeks permission for a single storey rear extension and alterations to the front elevation. The existing conservatory would be demolished; and the proposed rear extension would project 3.45 metres from the rear elevation. The proposed rear extension would have a width of 7.6 metres. The proposed rear extension would feature a mono-pitched roof with a maximum height of 3.5 metres and an eaves height of 2.55 metres. The proposed will feature 4 Velux roof lights and bi-fold doors to the rear elevation. The proposed rear extension would be constructed out of materials to match the existing dwellinghouse.

3.2 The proposed alterations to the front elevation would comprise of an existing door being removed, bricked up and replaced with a window. The proposals also comprise of a canopy above the front door; this would have a maximum height of 2.95 metres. The proposed canopy would project 0.8 metres forward and would have a width of 1.75 metres.

4.0 Planning History

R08/1621/HOUS	Erection of a two-storey side extension and conversion of the loft to living accommodation.	Refusal 26 Nov 2008
R08/1842/HOUS	Erection of a two-storey side extension and conversion of the loft to living accommodation (resubmission)	Approval 02 Feb 2009

5.0 Relevant Planning Policies

5.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Local Plan 2011-2031. The relevant policies are outlined below.

Rugby Borough Local Plan 2011-2031, June 2019

GP1: Securing sustainable development

GP2: Settlement hierarchy

SDC1: Sustainable design

SDC4: Sustainable buildings

D2: Parking facilities

HS5: Traffic generation and air quality

5.3 The submission Rugby Local Plan for 2025-2045 was submitted for examination on 27 April 2026. It carries significant weight in decision-making unless referenced otherwise in this report. The relevant policies are outlined below;

Rugby Local Plan 2025-2042 (submission version 27 April 2026)

S1: Settlement Hierarchy

CL4: Climate adaptation

D1: Well-designed places

D2: Infill and householder development

EN8: Environmental protection and amenity

EN9: Air quality

I2: Parking

National Planning Policy Framework, August 2026 (NPPF)

Policy DM1: Preparing Development proposals

Policy DM2: Information requirements

Policy DM3: Determining development proposals

Policy DM4: Emerging Development plan proposals

Policy DM6: Use of planning conditions and obligations

Policy S3: Presumption in favour of sustainable development

Policy S4: Principle of development within settlements
Policy L2: Making effective use of land
Policy L3: Achieving appropriate densities
Policy DP3: Key principles for well-designed places
Policy TR4: Street design, access and parking
Policy P3: Living conditions and pollution

Supplementary Planning Documents (SPD)

- Rugby Borough Council- Climate Change & Sustainable Design and Construction 2023: including Residential Design Guide

6.0 Technical consultation responses

6.1 None requested

7.0 Third party comments

7.1 Ward Councillors and neighbours notified, and no comments were received.

8.0 Assessment of proposals

8.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications.

8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. As set out above, the Development Plan in this case is the Rugby Local plan.

8.3 Annex A paragraph 2 on the NPPF (2026) states that development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the Framework should be given very limited weight. However, it clarifies that development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the 2026 NPPF. This report therefore sets out any policy which is considered to be materially inconsistent with the NPPF and the weight therefore attributed to it. If no assessment is made the policy is considered to be materially consistent with the NPPF.

8.4 The key issues to assess in the determination of this application are:

Section 9- Principle Of Development
Section 10- Character And Design
Section 11- Impact On Neighbouring Properties,
Section 12- Highway Safety & Parking
Section 13- Climate Change & Sustainable Design,
Section 14- Air Quality
Section 15- Community Infrastructure Levy
Section 16- Equality Implications

9.0 Principle of development

9.1 Policy GP1 of the Local Plan echoes the NPPF's presumption in favour of sustainable development and states that when considering development proposals, a positive approach will be taken on development that reflects the presumption and to secure development that improves the economic, social and environmental conditions in the area.

9.2 Policy S3 of the NPPF sets out the presumption in favour of sustainable development and states that Policy S4 should be applied when considering development proposals within settlements and that in all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

9.3 Policy GP2 of the Local Plan and Policy S1 of the Submission Local Plan both detail the settlement hierarchy and sets out the areas in which development will be supported. The site is within Rugby Town which the policy designates is the main focus for development across the borough. The proposal therefore accords with the locational strategy for development within Policy GP2 and Policy S1.

9.4 Policy S4 of the NPPF deals with development within settlements. It states that development should be approved unless the benefits of doing so would be substantially outweighed by adverse effects when assessed against the national decision-making policies in the Framework.

9.5 This application seeks permission for an extension to an existing dwelling located within Rugby Town and is considered to be acceptable in principle, subject to the consideration of its detailed impacts that are assessed below. The proposal is therefore in compliance with Policy GP2 of the Local plan and Policy S1 of the Submission Local plan and Policies S3 and S4 of the NPPF (2026).

10.0 Character and Design

10.1 Policy SDC1 of the Local Plan and Policy D1 of the submission Local Plan state that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of scale, density and design that responds to the character of the area in which they are situated. Policies L3 and DP3 of the NPPF build on aims of Policy SDC1 of the Local Plan.

10.2 Policy D2 of the submission Local Plan states that extensions and alterations to existing dwellings shall be of high-quality design, be subservient in scale to the host building and integrate with the existing property by reflecting its features such as appropriate choice of materials.

10.3 The proposed rear extension would not be visible from the street scene which results in minimal impact on the character of the surrounding area.

10.4 The proposed development would be constructed out of materials which match those of the existing dwellinghouse. This will be secured by condition (Condition 3).

10.5 The proposed alterations to the front elevation would result in an existing door being removed and bricked up with a window. The window would be similar in character to existing

windows on the front elevation of the property. It is considered that there would be minimal impact on the character of the dwellinghouse and the wider street scene.

10.6 The proposed development would include a proposed porch canopy. The proposed canopy would be small in scale and is considered that there would be minimal impact on the character of the dwellinghouse and the wider street scene.

10.7 The extensions would not constitute over development of the plot, and it is considered that this development would be appropriate in terms of scale, height, and siting.

10.8 This application is therefore considered to be in accordance Policy SDC1 of the Local Plan, Policies D1 and D2 of the submission Local Plan and Policies L3 and DP3 of the NPPF (2026).

11.0 Impact on neighbouring properties

11.1 Policy SDC1 of the Local Plan and Policy EN8 of the submission Local Plan state that proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded. Policy EN8 of the submission Local Plan relates to environmental protection and amenity and states at b) new development should not have an unacceptable impact on the amenity of existing or proposed users or occupants of neighbouring buildings or land with Policy D2 relating to householder development at v) requiring new development to safeguard the amenity of neighbouring occupiers in line with Policy EN8. Policy P3 of the NPPF builds on aims of Policy SDC1 of the Local Plan.

11.2 The neighbouring properties most affected by the proposals are No. 98, No. 99 and No. 102 Kingsley Avenue.

11.3 It is considered that the proposed alterations to the front elevation would not create any additional overshadowing or overlooking concerns when compared to the existing. The Climate Change and Sustainable Design SPD states there should be a distance of no less than 21 metres window to window. The separation distance between the windows on front elevation of No. 99 and the application dwelling is approx. 25 metres which remains unchanged.

11.4 The proposed development would not create any additional overlooking or privacy concerns to either No. 98 or No. 102 due to there being no additional windows proposed on the side elevations of the rear extension.

11.5 No. 98 is the attached semi-detached neighbouring property, and No. 98 features a single storey rear extension. The Climate Change and Sustainable Design SPD states for single storey extensions, the 45° line is taken from the midpoint of the nearest window, which is also the main light source for a habitable room. The proposed development has been assessed with a 45° line drawn from the midpoint of the nearest window. The proposed single storey rear extension is within the 45-degree line and it is therefore considered that the proposed development would not cause significant loss of daylight or overbearing nature to No. 98 to an unacceptable level.

11.6 No. 102 features a similar single storey rear extension and the proposed development would project to similar depth. The proposed development has been assessed with a 45° line drawn from the midpoint of the nearest window. The proposed single storey rear extension is

within the 45-degree line. It is considered that there would be no additional overshadowing or loss of light concerns to No. 102.

11.7 It is considered that the impact on neighbouring properties is acceptable. This application is therefore considered to be in accordance with Policy SDC1 of the Local Plan, Policy EN8 of the submission Local Plan and Policy P3 of the NPPF (2026).

12.0 Highway Safety & Parking

12.1 Policy D2 of the Local Plan and Policy I2 of the submission Local Plan state that permission will only be granted for development incorporating adequate and satisfactory parking facilities. NPPF policy TR4 states that in contributing to creating well-designed places, transport considerations should be integral to the design of development. Paragraph (e) states that proposals should provide a suitable number of parking spaces where appropriate reflecting the location and nature of the development and any locally-set standards in the development plan.

12.2 The proposals would not result in any additional bedrooms, and the existing parking arrangement will remain at the property. The Councils standards would require 3 spaces in this location, and it is considered that 3 spaces will remain.

12.3 This application is therefore considered to be in accordance with Policy D2 of the Local Plan and Policy I2 of the submission Local Plan and Policy TR4 of the NPPF (2026).

13.0 Climate Change and Sustainable Design

13.1 The Council has declared a 'Climate Emergency' pledging to take local action to contribute to national carbon neutrality targets; including recognising steps to reduce its causes and make plans to respond to its effects at a local level.

13.2 Local Plan Policy SDC4 read in conjunction with the Climate Change and Sustainable Design and Construction SPD, which sets out further guidance on how the development is required to demonstrate compliance with matters relating to climate change and a reduction in carbon emissions. Policy CL4 of the submission Local Plan states that all developments shall be resilient to and adapt to future impacts of Climate Change.

13.3 The application is accompanied by sustainability checklist which provides details of how the development proposes to incorporate high level insulation to ensure airtightness.

13.4 It is considered that the applicant has demonstrated how energy efficiency and sustainability has been incorporated within the development and therefore the development complies with Policy SDC4 and Policy CL4 of the submission Local Plan.

14.0 Air Quality

14.1 Policy HS5 of the Local Plan and Policy EN9 of the submission Local Plan require that development within the Air Quality Management Area as defined in Appendix 8 of the Local Plan that would generate any new floor space must achieve or exceed air quality neutral standards. If

air quality neutral standards are not met, points 2, 3 and 4 of the policy detail how developments should address the impacts of poor air quality, including mitigation measures.

14.2 The Local Plan defines Air Quality Neutral as “emissions from the development proposal being no worse, if not better, than those associated with the previous use.”

14.3 It is recognised that the current proposal increases floor space within the Air Quality Management Area and as such policy HS5 is relevant. NPPF Policy P2 echoes this.

14.4 As the proposal does not involve a significant increase in emissions that materially affects the AQMA compared with the existing property, the proposal is considered to achieve or exceed air quality neutral standards. As a result, mitigation as detailed in points 2, 3 and 4 of the policy are not required. An informative will be included in the decision notice to advise the applicant of additional air quality mitigation.

14.5 This application is therefore considered to comply with Policy HS5 of the Local Plan, Policy EN9 of the submission Local Plan and Policy P2 of the NPPF.

15.0 Community Infrastructure Levy

15.1 The Council's Community Infrastructure Levy (CIL) charging schedule came into effect on 1st April 2024, this is in accordance with the Planning Act 2008 and Community Infrastructure Regulations 2010.

15.2 As the proposals include a residential extension that creates less than 100 sq m of new floorspace, this development is not liable for CIL.

16.0 Equality Implications

16.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

16.2 *A public authority must, in the exercise of its functions, have due regard to the need to:*
(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

16.3 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

16.4 The equality implications arising from this application relate to the protected characteristics as identified within the Equality Act 2010. This has been addressed in the assessment of the application by having regard to the National Planning Policy Framework (2026), and other National Guidance.

16.5 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

17.0 Planning Balance and Conclusion

17.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

17.2 Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework.

17.3 The proposal would respect the scale and character of the existing dwelling and would not have an adverse impact on the character of the area. It would not adversely affect the amenities of neighbouring properties. In addition, suitable parking facilities can be provided. The proposal is in compliance with adopted Local Plan Policies GP1, GP2, SDC1, SDC4 and D2.

17.4 Furthermore, the development complies with Policies S1, D1, D2, EN8 and I2 within the submission version of the Rugby Borough Local Plan (2025-2042), which significant weight is given to.

17.5 Having regard to national policy and the presumption in favour of sustainable development it is therefore considered that the proposal would comply with the development plan as a whole. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved subject to conditions and informatives.

18.0 Recommendation

Planning application R26/0653 be approved subject to:

1. the conditions and informatives set out in the draft decision notice appended to this report; and
2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

DRAFT DECISION

REFERENCE NO:
R26/0653

DATE APPLICATION VALID:
06-Jul-2026

APPLICANT:
Paul Rimen 100 Kingsley Avenue, Rugby, CV21 4JZ

ADDRESS OF DEVELOPMENT:
100, KINGSLEY AVENUE, RUGBY, RUGBY, CV21 4JZ

APPLICATION DESCRIPTION:
Single Storey Rear Extension and Alterations to the Front Elevation

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2:

The development shall be carried out in accordance with the plans and documents detailed below:

- Proposed Ground Floor Plan Drg No. 001
 - Proposed South Western Elevation Drg No. 003
 - Proposed South Eastern Elevation Drg No. 005
 - Proposed North Eastern Elevation Drg No. 006
 - Proposed North Western Elevation Drg No. 008
 - Site Location and Block Plans Drg No. 009
- Received by the Local Planning Authority 06.07.2026

REASON:

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

CONDITION 3:

The facing materials to be used on the external walls and roof shall be of the same type, colour and texture as those used on the existing building.

REASON:

To ensure a satisfactory external appearance.

INFORMATIVE 1:

The applicant is encouraged to incorporate measures to assist in reducing their impact upon the Air Quality Management Area as part of this development. Initiatives could include the installation of an ultra-low emission boiler (<40mg/kWh), increased tree planting/landscaping,

solar thermal panels, and the incorporation of electric vehicle charging points on any car parking. More information on plants that can be incorporated into landscaping for green walls and roofs can be found here:

https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf Such measures contribute towards improving air quality. Further information can be obtained from Environmental Health on 01788 533857 or email ehcs@rugby.gov.uk

INFORMATIVE 2:

Environmental Services advise that in order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site should not occur outside the following hours: -

Monday - Friday - 7.30 a.m. - 6.00 p.m.

Saturday - 8.30 a.m. - 1.00 p.m.

No work on Sundays & Bank Holidays.

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions - 13 August 2026 to 09 September 2026
Name of Committee:	Planning Committee
Date of Meeting:	30 September 2026
Report Director:	Strategic Director - Place
Portfolio:	Growth and Investment, Digital and Communications
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Strategic Director - Place
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Key Decision:	No
Corporate Priorities:	This report relates to the following priority(ies): ☐ A Healthier Rugby – To support people to live healthier, longer, and more independent lives. ☒ A Thriving Rugby – To deliver a thriving economy which brings Borough-wide investment and regenerates Rugby Town Centre. ☒ A Greener Rugby – To protect the environment and ensure the Borough adapts to climate change. ☐ A Fairer Rugby – To reduce inequalities and improve housing across the Borough. Corporate Strategy 2025-2035 ☐ This report does not specifically relate to any Council priorities but
Summary:	The report lists the decisions taken by the Strategic Director – Place under delegated powers.
Local Government Reorganisation Implications:	N/A
Financial Implications:	There are no financial implications for this report.

Risk Management/Health and Safety Implications:	There are no risk management implications for this report.
Environmental Implications:	There are no environmental implications for this report.
Legal Implications:	There are no legal implications for this report.
Equality and Diversity:	There are no equality and diversity implications for this report.
Options:	
Recommendation:	The report be noted.
Reasons for Recommendation:	To ensure that members are informed of decisions on applications that have been made by officers under delegated powers.

Planning Committee - 30 September 2026

Delegated decisions - 13 August 2026 to 09 September 2026

Public Report of the Strategic Director - Place

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 30 September 2026

Subject Matter: Delegated Decisions - 13 August 2026 to 09 September 2026

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY

☐ YES

☐ NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

☐ Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

DECISIONS TAKEN BY THE CHIEF OFFICER FOR GROWTH AND INVESTMENT UNDER DELEGATED POWERS

Report Run From 13/08/2026 To 09/09/2026

APPENDIX 1

Delegated

8 Weeks PA Applications

Applications Approved

R26/0376 8 Weeks PA Approval 13/08/2026	46, SOUTH ROAD, CLIFTON UPON DUNSMORE, RUGBY, CV23 0BZ	Single storey rear and side extension and front canopy
R26/0405 8 Weeks PA Approval 14/08/2026	DUNCHURCH PARK HOTEL AND CONFERENCE CENTRE, RUGBY ROAD, DUNCHURCH, RUGBY, CV22 6QW	Variation of condition 1 of R25/0120 (retention of children's playground, gatehouse and security barrier) for a further temporary period of 18 months.
R26/0462 8 Weeks PA Approval 14/08/2026	6, ARKWRIGHT AVENUE, CHURCHOVER, RUGBY, CV23 0FR	Erection of a single storey log cabin / garden room.
R26/0492 8 Weeks PA Approval 14/08/2026	6, CROFT CLOSE, STRETTON- ON-DUNSMORE, RUGBY, CV23 9NG	Single storey rear extension.
R26/0275 8 Weeks PA Approval	60, Kerry Hill Drive, Long Lawford, Rugby, CV23 9FQ	Proposed conversion of existing garage into additional living space and a proposed skylight.

Delegated

8 Weeks PA Applications

Applications Approved

09/09/2026

Certificate of Lawfulness Applications

Applications Refused

R26/0182
Certificate of
Lawfulness
Refusal
27/08/2026

Unit D, Swift Point, Swift Valley,
Rugby, CV21 1QH

Certificate of lawfulness for the
proposed infilling of roller shutter
door entrance and insertion of
windows.

Conditions

Applications Approved

R26/0631
Conditions
Approval
17/08/2026

LAND NORTH EAST OF
CASTLE MOUND WAY, CASTLE
MOUND WAY, RUGBY

Details of condition 14 (Drainage)
of R22/0551.
(Application for full planning
permission for storage and
distribution floorspace (Class B8
use), with ancillary offices,
gatehouse, associated car
parking, HGV parking,
landscaping and infrastructure.)

R26/0118
Conditions
Approval

LAND AT PADGE HALL FARM,
WATLING STREET, BURBAGE

Delegated

Conditions

Applications Approved

18/08/2026

Details of conditions 29 (Fencing Details to Railway Boundary) and 32 (Vehicle Safety Measures to Railway Boundary) of R24/0081. (Variation of Condition 1-plans, 14- Surface Water Drainage Scheme, 46- approved detail including drainage and 48- flood risk assessment attached to R21/0985.)

R26/0233
Conditions
Approval
18/08/2026

Land at Fern Field, Oxford Road,
Ryton-on-Dunsmore, CV8 3EP

Details of condition 3 of planning
permission approved under
E25/0085
(APP/E3715/15/C/25/3367451/).

R26/0472
Conditions
Approval
18/08/2026

H M PRISON SERVICE
COLLEGE, NEWBOLD REVEL
ROAD, STRETTON UNDER
FOSSE, RUGBY, CV23 0TH

Details of condition 3 (Materials)
of R26/0023 (Listed Building
Consent for re-roofing of a
residential block as part of a
listed building)

R25/0920
Conditions
Approval
19/08/2026

Land North of Projects Drive,
Rugby

Details in relation to condition 17
(Landscaping) of R24/0103 -
Construction of 108 dwellings
with associated access, roads,
parking and landscaping.

Delegated

Conditions Applications Approved

R26/0745 Conditions Approval 21/08/2026	Land West Side Of, Heritage Close, Rugby, CV22 7PW	Details of Conditions 4 and 6 attached to R22/0383.
R26/0643 Conditions Approval 25/08/2026	15, The Caldecott Arms, Main Street, Long Lawford, Rugby, CV23 9AY	Details of conditions 4 (Noise) and 5 (SOW) of R25/0180. (Single Storey Rear Extension and Rear Outbuilding.)
R26/0654 Conditions Approval 27/08/2026	Houlton Primary School, Houlton (Rugby Radio Station), Watling Street, Clifton-upon-Dunsmore, Rugby	Application for the approval of details relating to condition 13 of R25/0075 (for a three form entry primary school at Houlton)
R26/0646 Conditions Approval 01/09/2026	Land adjacent to and south of Church Farm, Church Street, Churchover, Rugby, CV23 0EW	Details of condition 4 (Window & Porch Details), 17 (Tree Planting Specification) and 22 (External Lighting) of R26/0103. (Variation of Condition 2 (approved plans) to allow the dwelling and garage to be repositioned 400 mm away from the site boundary and removal of Conditions 3 (External Materials), 7 (Hard Surfacing and Driveway Materials), 10 (Boundary Treatments), 11 (Site Levels), 12

Delegated

Conditions Applications Approved

(Drainage), 13 (Construction Management Plan) 15 (Archaeology) and 19 (EV Charging) of R24/0914 (Erection of a dwelling, garage, car-port and associated parking).

R25/0987
Conditions
Approval
02/09/2026

17, Lawford Lane, Rugby,
Warwickshire, CV22 7JP

Approval of Conditions 8 (CMP), 13 (Boundary Treatment), 14 (Archaeology), 15 (Air Quality), 16 (CMP), 17 (CEMP), 18 (Drainage), 21 (Landscaping), 23 (Levels) and 24 (CEMP) of R24/0537 (Demolition of existing dwelling and construction of 2 dwellinghouses)

R26/0668
Conditions
Approval
07/09/2026

RUGBY GATEWAY, LEICESTER
ROAD, RUGBY,

Details of condition 20 (Drainage) of R10/1272.
(Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 General Industrial & B8 Storage & Distribution); community facilities (D1 Non-residential Institutions) including primary school, nursery and health facility, retail premises (A1 Retail, A3 Food & Drink, A4 Drinking Establishments & A5 - Hot Food Takeaway); open space; associated infrastructure

Delegated

Conditions Applications Approved

and works including details of access into site (including alterations to highway and existing roundabouts). Demolition of existing buildings.)

R26/0620
Conditions
Approval
08/09/2026

Magna Barn, MONTILO LANE,
HARBOROUGH MAGNA, Rugby,
CV23 0HE

Details of condition 9 (nesting birds) of R25/0610 - Proposed conversion to office building.

R26/0810
Conditions
Approval
08/09/2026

CEMEX HOUSE, EVREUX WAY,
RUGBY, CV21 2DT

Application for the approval of details relating to condition 16 (Ecology - Bats) of R22/1102 (Demolition of existing office building and erection of a new Class E food retail store)

R26/0606
Conditions
Approval
09/09/2026

BURTON FARM, BURTON
LANE, BURTON HASTINGS,
NUNEATON, CV11 6RJ

Details of conditions 5 (Operations Management Plan) and 7 (HMMP and Biodiversity Gain Plan) of R25/1097 - Purpose-built barn to provide a dog day care facility and associated external exercise area, parking and landscaping (sui generis)

Delegated

Major Applications

Applications Approved

R26/0367 Phases R5, R6 and R7 Rugby
Major Application Gateway, Leicester Road, Rugby
Approval of Reserved
Matters
17/08/2026

Section 73 to vary condition 1 of R23/0453 Parcel R5 only. (Erection of 550 dwellings for Phases R5, R6 and R7 with associated play area, and sports pitches. (Approval of Reserved Matters: Access, Appearance, Landscaping, Layout and Scale in relation to outline planning permission R10/1272)). Amendments to the substitution of house types to plots 4 and 5 (further to NMA R25/0323), substitution of the McArthur for the McQueen (30 plots) and to amend the landscaping including the reinstatement of a hedgerow section.

R26/0509 Lumonics House, Swift Valley
Major Application Industrial Estate, Valley Drive,
Approval Rugby, CV21 1TQ
03/09/2026

Erection of 4no. employment buildings for flexible use within Use Classes B2 (General Industrial), B8 (Storage and Distribution) and E(g)(iii) along with all associated development including earthworks, drainage, access arrangements, car parking, HGV parking, servicing arrangements, landscaping, localised highway improvements and other ancillary structures/works.

Delegated

Prior Approval Applications

Prior Approval Applications

R26/0607 The Barn, land at Church Road,
Prior Approval change Church Road, Church Lawford,
of use Rugby, CV23 9EG
Required and Approved
14/08/2026

Prior approval for change of use
of agricultural building to
dwellinghouse

R26/0707 Land at MOAT HOUSE, MAIN
Agriculture Prior STREET, GRANDBOROUGH,
Approval RUGBY, CV23 8DQ
Required and Approved
18/08/2026

Prior approval for a proposed
agricultural new building.

R26/0719 GRANGE FARM, SAWBRIDGE
Agriculture Prior ROAD, GRANDBOROUGH,
Approval RUGBY, CV23 8DN
Withdrawn by
Applicant/Agent
21/08/2026

Prior approval for a proposed
new agricultural building.

R26/0746 THE LAURELS, KINGS
Agriculture Prior NEWNHAM LANE, RUGBY,
Approval CV23 0JT
Not Required
25/08/2026

Prior approval for a proposed
new agricultural building.